

REMARKS

The Office Action mailed November 27, 2008 has been carefully reviewed and considered. Claims 12-20 and 34, 35, 37 and 38 are previously pending. Claim 18 and 34-38 have been allowed; Claims 12, 13, 16, and 17 were rejected; and Claims 14, 15, 19 and 20 were objected to. The Applicants have amended Claim 12. Reconsideration is respectfully requested.

The 35 U.S.C. § 103 Rejection

Claims 12-13 and 16-17 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bailey (US 5,800,179) in view of Kaempen (US 4,775,563). The Applicants respectfully traverse.

In particular, it is admitted in the Office Action that Bailey does not teach that the capture mechanism is a grasping member that closes around the peripheral device via an actuator that operates to close the grasping member in response to insertion of the peripheral device. The Office Action states that Kaempen discloses this. The Applicants disagree.

In determining obviousness four factual inquiries must be looked into in regards to determining obviousness. These are determining the scope and content of the prior art; ascertaining the differences between the prior art and the claims in issue; resolving the level of ordinary skill in the pertinent art; and evaluating evidence of secondary consideration. Graham v. John Deere, 383 U.S. 1 (1966); KSR Int'l Co. v. Teleflex, Inc., No 04-1350 (U.S. Apr. 30, 2007) (“Often, it will be necessary . . . to look into related teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to

determine whether there was an **apparent reason** to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis **should be made explicit.**") (emphasis added).

One skilled in the art combining Bailey with Kaempen would not teach or suggest each and every element/limitation recited in Claim 12, as required to establish a prima facie case of obviousness. Kaempen discloses a connector having a body 30 with a plurality of cantilevered splines 3 extending therefrom in a circular pattern. Each spline 3 has a jaw feature on its interior surface which mates with the cylindrical body member 20BC of the conical spigot 20B. As described in Kaempen, as the spigot 20B is inserted into the aperture created by the splines 3, the conical shape of the spigot 20B causes the splines 3 to expand and move away from one another to be in an open position allow further insertion of the spigot 20B. Upon the cylindrical portion 20BC coming into contact with the jaw features of the splines 3, the splines 3 close in and engage the device being inserted therein. In other words, the connector in Kaempen is in the closed position by default before the insertion device is even inserted therein. This is very different than what is claimed in Claim 12 in that the combination of Bailey and Kaempen does not reach a structure which teaches or suggests each and every element/limitation in Claim 12.

Claim 12 recites *inter alia* a capture mechanism configured to engage a peripheral device separate therefrom, the capture mechanism having a grasping member and an actuator longitudinally moveable with respect to the grasping member, the actuator urged against the grasping member when in a first position to maintain the grasping member in an open position prior to receiving the peripheral device, the grasping member configured to close to a closed position around the peripheral device to engage the peripheral device therein in response to the

peripheral device being inserted into the grasping member and pushing the actuator to move away from the grasping member from the first position to the second position.

Kaempen's connector does not include an actuator which is longitudinally moveable with respect to the grasping member, wherein the actuator is a part of the capture mechanism which is separate from the peripheral device. It is unclear what feature in Kaempen is referred to as the "actuator" in the office action. Nonetheless, Kaempen does not disclose an actuator longitudinally moveable with respect to the grasping mechanism. In addition, Kaempen does not teach or suggest that the actuator is urged against the grasping member to keep the grasping member in an open position prior to receiving the peripheral device, as recited in Claim 12. As stated above, Kaempen expressly discloses that the splines 3 are in the position as shown in Figure 5 prior to receiving the insertion device, whereby the insertion device itself causes the splines 3 to expand to receive the device. Thus, the connector is initially in a closed position prior to receiving the insertion device. Furthermore, Kaempen does not teach or suggest that the grasping mechanism goes from the open position to the closed position in response to the peripheral device being inserted into the grasping member and longitudinally pushing the actuator away from the grasping member from the first position to the second position, as recited in Claim 12. In contrast, the insertion device in Kaempen does not longitudinally push the actuator away from the grasping mechanism from the first position to the second position to close the grasping mechanism. Instead, Kaempen's device allows the resilient properties of the splines 3 to automatically close in on the insertion device once its jaws engage the outer surface of cylindrical body 20BC. For at least these reasons, Bailey and Kaempen in combination do not

teach or suggest each and every element/limitation in Claim 12. Accordingly, Claim 12 is patentable over Bailey and Kaempfen and is in condition for allowance.

Claims 13, 16, 17 and 19 are dependent on Claim 12. As stated above, Claim 12 is allowable over the cited references. Accordingly, Claims 13, 16, 17 and 19 are allowable for being dependent on an allowable base claim.

Conclusion

It is believed that this reply places the above-identified patent application into condition for allowance. Early favorable consideration of this reply is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

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Respectfully submitted,



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